

REMARKS

Applicant thanks the Examiner for withdrawal of the prior objections and rejections. Claims 1 and 4 and Claims 3 and 6 stand rejected under 35 U.S.C. § 102(b) and 35 U.S.C. § 103(a), respectively, over Widdowson (WO 97/49400). Applicant respectfully traverses.

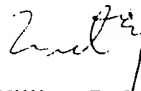
The Declaration and Power of Attorney filed in the instant application claims the benefit of priority, *inter alia*, under 35 U.S.C. § 119(e) of United States Provisional Patent Application No. 60/101,021 filed September 18, 1998. The International Publication Date of the Widdowson reference is December 31, 1997, less than one year prior to the earliest filing date (via 35 U.S.C. § 119(e) priority) of the instant application. Accordingly, the Widdowson reference is not a statutory bar against the instant application under 35 U.S.C. § 102(b) ("A person shall be entitled to a patent unless - . . . (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States . . .").

Since the Widdowson reference was published on December 31, 1997, approximately 9 months before the earliest claimed priority date of the instant application, this reference may be a valid prior art reference under 35 U.S.C. § 102(a). Applicant provides herewith a second declaration from Dr. John R. White under 37 C.F.R. § 1.131(a) wherein the inventor declares that the invention embodied by the pending claims was made prior to the publication of the Widdowson reference. In particular, the embodiment of the instant invention set forth in Claims 1 and 4 was conceived and reduced to practice prior to December 31, 1997, and therefore antedates the Widdowson publication. Moreover, the embodiment of the instant invention set forth in Claims 3 and 6 was conceived and reduced to practice prior to December 31, 1997, and therefore antedates the Widdowson publication. Accordingly, the Widdowson reference is not prior art against the instant invention.

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Applicant therefore respectfully requests withdrawal of the 35 U.S.C. § 102 and 103(a) rejections and allowance of the instant claims. Applicant submits that this application is in condition for allowance and respectfully requests early and favorable notification to that effect. If it would expedite prosecution of this application, the Examiner is invited to confer with the Applicant's undersigned attorney.

Respectfully submitted,



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